

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA §
§
v. § CIVIL ACTION NO. A-13-CV-761
§
ANY AND ALL FUNDS IN UBS AG, §
ACCOUNT NUMBER XXXX1138, §
§
ET AL., §
Defendants. §

**CLAIMANT FRANCISCO COLORADO CESSA'S
ANSWER TO VERIFIED COMPLAINT FOR FORFEITURE**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, FRANCISCO COLORADO CESSA, Claimant, by and through his attorneys of record, Chris Flood and Charles Flood, and files this Answer to Petitioner's Verified Claim for Forfeiture ("the Complaint"), saying for cause as follows:

(ANSWERS IN RESPONSE TO NUMBERED PARAGRAPHS)

1. Claimant admits that the Complaint seeks forfeiture of the subject property in ¶ 1 of the Complaint. Claimant admits that he and his company ADT Petroservicios, S.A. de C.V., respectively, were designated under the Foreign Narcotics Kingpin Designation Act (Kingpin Act) and as a result all assets of both have been frozen by the U.S. Department of Treasury's Office of Foreign Assets Control (OFAC) which include the Respondent Bank Accounts and Respondent Aircrafts.

2. Claimant admits that the action is a civil forfeiture action *in rem* but denies the Respondent Bank Accounts and Respondent Aircrafts are subject to forfeiture.

3. Claimant denies that this Court has jurisdiction over this action in order to preserve all appropriate defenses. Claimant denies that this Court has *in rem* jurisdiction over the Respondent Bank Accounts and Respondent Aircrafts. Claimant denies that acts or omissions giving rise to the forfeiture occurred in this district and therefore denies that venue is proper in this district.

GENERAL DENIAL

Claimant hereby enters a general denial to Petitioner's Verified Complaint for Forfeiture and denies each and every allegation set forth herein and demands strict proof thereof at the time of trial.

4. Claimant admits that a Superseding Indictment was returned on December 4, 2012, in the Western District of Texas-Austin Division under cause number A-12-CR-210-SS against the named defendants. Claimant admits that he was found guilty by a jury on May 9, 2013, of Conspiracy to Commit Money Laundering as charged in Count One of the Superseding Indictment. Claimant denies that the facts and circumstances contained in the Complaint include the same facts and circumstances which gave rise to the criminal case.

5. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 5 of the Complaint and therefore denies all allegations contained therein.

6. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 6 of the Complaint and therefore denies all allegations contained therein. Additionally, Claimant denies that he was a businessman that used drug proceeds from *LOS ZETAS* to get his business, ADT PETROSERVICIOS, S.A. de C.V. ("ADT"), up

and running and then assisted *LOS ZETAS* in laundering their drug proceeds by using ADT to send money into the United States.

7. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 7 of the Complaint and therefore denies all allegations contained therein.

8. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 8 of the Complaint and therefore denies all allegations contained therein.

9. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 9 of the Complaint and therefore denies all allegations contained therein.

10. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 10 of the Complaint and therefore denies all allegations contained therein.

11. Claimant denies the allegations in ¶ 11 of the Complaint.

12. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 12 of the Complaint and therefore denies all allegations contained therein.

13. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 13 of the Complaint and therefore denies all allegations contained therein.

14. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 14 of the Complaint and therefore denies all allegations contained therein. Additionally, Claimant denies that ADT would send payments to the various auction houses in the form of wire transfers, checks, and personal checks to pay for the horses to give the appearance that the funds were coming from legitimate sources.

15. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 15 of the Complaint and therefore denies all allegations contained therein.

16. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 16 of the Complaint and therefore denies all allegations contained therein. Additionally, Claimant denies that ADT was established and used in the laundering of proceeds.

17. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 17 of the Complaint and therefore denies all allegations contained therein.

18. Claimant denies the allegations in ¶ 18 of the Complaint.

a. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 18a. of the Complaint and therefore denies all allegations contained therein.

b. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 18b. of the Complaint and therefore denies all allegations contained therein.

c. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 18c. of the Complaint and therefore denies all allegations contained therein.

d. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 18d. of the Complaint and therefore denies all allegations contained therein.

e. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 18e. of the Complaint and therefore denies all allegations contained therein.

f. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 18f. of the Complaint and therefore denies all allegations contained therein.

g. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 18g. of the Complaint and therefore denies all allegations contained therein.

h. Claimant admits that he is a businessman from Veracruz. Claimant denies that he is like a step-father to NAYEN. Claimant denies that he met CI #1 at a horse race in Coahuila. Claimant admits that he owns a lot of horses. Claimant denies that he also coordinates horse races in Mexico.

19. Claimant denies the allegations in ¶ 19 of the Complaint.

a. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 19a. of the Complaint and therefore denies all allegations contained therein.

b. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 19b. of the Complaint and therefore denies all allegations contained therein.

c. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 19c. of the Complaint and therefore denies all allegations contained therein.

d. Claimant denies the allegations in ¶ 19d. of the Complaint.

20. Claimant denies the allegations in ¶ 20 of the Complaint.
 - a. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 20a. of the Complaint and therefore denies all allegations contained therein.
 - b. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 20b. of the Complaint and therefore denies all allegations contained therein.
 - c. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 20c. of the Complaint and therefore denies all allegations contained therein.
 - d. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 20d. of the Complaint and therefore denies all allegations contained therein.
 - e. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 20e. of the Complaint and therefore denies all allegations contained therein.
 - f. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 20f. of the Complaint and therefore denies all allegations contained therein.
 - g. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 20g. of the Complaint and therefore denies all allegations contained therein.

h. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 20h. of the Complaint and therefore denies all allegations contained therein.

i. Claimant denies the allegations in ¶ 20i. of the Complaint.

j. Claimant denies the allegations in ¶ 20j. of the Complaint.

21. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 21 of the Complaint and therefore denies all allegations contained therein.

a. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 21a. of the Complaint and therefore denies all allegations contained therein.

b. Claimant denies the allegations in ¶ 21b. of the Complaint.

c. Claimant denies the allegations in ¶ 21c. of the Complaint.

d. Claimant admits the allegation in ¶ 21d. of the Complaint.

e. Claimant denies he introduced TORRES to other drug dealers in Veracruz, Mexico. Claimant denies he and TORRES became good friends. Claimant admits he had a ranch in Mexico and some horses. Claimant denies he and TORRES would meet at the ranch for visits, as alleged in ¶ 21e. of the Complaint.

f. Claimant denies the allegations in ¶ 21f. of the Complaint.

g. Claimant denies the allegations in ¶ 21g. of the Complaint.

h. Claimant denies that one of the businesses started with the drug proceeds was named either ADT PETROSERVICIOS or ADT PERFORECIONES. Claimant admits that ADT PETROSERVICIOS would enter into contracts with PEMEX.

Claimant admits that the contracts between PEMEX and his business called for the clearing of land and assisting PEMEX in drilling for oil. Claimant denies that he and TORRES were partners since TORRES provided drug proceeds to get the business up and running, as alleged in ¶ 21h. of the Complaint.

i. Claimant denies the allegations in ¶ 21i. of the Complaint.

j. Claimant denies the allegations in ¶ 21j. of the Complaint.

k. Claimant denies the allegations in ¶ 21k. of the Complaint.

l. Claimant denies the allegations in ¶ 21l. of the Complaint.

m. Claimant denies the allegations in ¶ 21m. of the Complaint.

n. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in the first sentence of ¶ 21n. of the Complaint and therefore denies all allegations contained therein. Claimant further denies the remaining allegations in ¶ 21n. of the Complaint.

o. Claimant denies the allegations in ¶ 21o. of the Complaint.

p. Claimant denies the allegations in ¶ 21p. of the Complaint.

q. Claimant denies the allegations in ¶ 21q. of the Complaint.

r. Claimant admits he received checks from state contracts and from PEMEX, as alleged in the first sentence of ¶ 21r. of the Complaint. Claimant admits that some of these checks would be deposited into the business bank accounts, as alleged in the second sentence of ¶ 21r. of the Complaint. Claimant denies the remaining allegations in ¶ 21r. of the Complaint.

s. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 21s. of the Complaint and therefore denies all allegations contained therein.

t. Claimant denies the allegations in ¶ 21t. of the Complaint.

u. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 21u. of the Complaint and therefore denies all allegations contained therein.

v. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 21v. of the Complaint and therefore denies all allegations contained therein.

w. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 21w. of the Complaint and therefore denies all allegations contained therein.

x. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in the first sentence of ¶ 21x. of the Complaint and therefore denies all allegations contained therein. Claimant further denies the remaining allegations in ¶ 21x. of the Complaint.

y. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 21y. of the Complaint and therefore denies all allegations contained therein.

z. Claimant denies the allegations in ¶ 21z. of the Complaint.

aa. Claimant denies the allegations in ¶ 21aa. of the Complaint.

22. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 22 of the Complaint and therefore denies all allegations contained therein.

23. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 23 of the Complaint and therefore denies all allegations contained therein.

24. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 24 of the Complaint and therefore denies all allegations contained therein.

25. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 25 of the Complaint and therefore denies all allegations contained therein.

26. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 26 of the Complaint and therefore denies all allegations contained therein.

27. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 27 of the Complaint and therefore denies all allegations contained therein.

28. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28 of the Complaint and therefore denies all allegations contained therein.

a. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28a. of the Complaint and therefore denies all allegations contained therein.

b. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28b. of the Complaint and therefore denies all allegations contained therein.

- c. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28c. of the Complaint and therefore denies all allegations contained therein.
- d. Claimant denies the allegations in ¶ 28d. of the Complaint.
- e. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28e. of the Complaint and therefore denies all allegations contained therein.
- f. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28f. of the Complaint and therefore denies all allegations contained therein.
- g. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28g. of the Complaint and therefore denies all allegations contained therein.
- h. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28h. of the Complaint and therefore denies all allegations contained therein.
- i. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28i. of the Complaint and therefore denies all allegations contained therein.

28.¹ Claimant denies the allegations in ¶ 28 on pages 17-18 of the Complaint.

- a. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28a. on pages 17-18 of the Complaint and therefore denies all allegations contained therein.
- b. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28b. on pages 17-18 of the Complaint and therefore denies all allegations contained therein.
- c. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28c. on pages 17-18 of the Complaint and therefore denies all allegations contained therein.
- d. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28d. on pages 17-18 of the Complaint and therefore denies all allegations contained therein.
- e. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28e. on pages 17-18 of the Complaint and therefore denies all allegations contained therein.
- f. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28f. on pages 17-18 of the Complaint and therefore denies all allegations contained therein.

¹Paragraph 28 and its subparts (a-i) on pages 17-18 of the Complaint are misnumbered. For purposes of consistency, Claimant kept the misnumbered paragraph and subparts herein and are hereinafter referred to as “Paragraph 28 on pages 17-18 of the Complaint.”

g. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28g. on pages 17-18 of the Complaint and therefore denies all allegations contained therein.

h. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 28h. on pages 17-18 of the Complaint and therefore denies all allegations contained therein.

i. Claimant denies the allegations in the first two sentences of ¶ 28i. on pages 17-18 of the Complaint. Claimant lacks sufficient knowledge to form a belief as to the truth of the remaining allegations in ¶ 28i. on pages 17-18 of the Complaint and therefore denies all allegations contained therein.

29. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 29 of the Complaint and therefore denies all allegations contained therein.

30. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 30 of the Complaint and therefore denies all allegations contained therein.

31. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 31 of the Complaint and therefore denies all allegations contained therein.

32. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 32 of the Complaint and therefore denies all allegations contained therein.

a. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 32a. of the Complaint and therefore denies all allegations contained therein.

b. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 32b. of the Complaint and therefore denies all allegations contained therein.

c. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 32c. of the Complaint and therefore denies all allegations contained therein.

d. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 32d. of the Complaint and therefore denies all allegations contained therein.

e. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 32e. of the Complaint and therefore denies all allegations contained therein.

33. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 33 of the Complaint and therefore denies all allegations contained therein.

34. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 34 of the Complaint and therefore denies all allegations contained therein.

35. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 35 of the Complaint and therefore denies all allegations contained therein.

a. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 35a. of the Complaint and therefore denies all allegations contained therein.

b. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 35b. of the Complaint and therefore denies all allegations contained therein.

c. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 35c. of the Complaint and therefore denies all allegations contained therein.

d. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in the first sentence of ¶ 35d. of the Complaint and therefore denies all allegations contained therein. Claimant denies breedings were paid for by him and lacks knowledge to form a belief as to the truth of the remaining allegations in the second sentence and the full third sentence of ¶ 35d. of the Complaint and therefore denies all allegations contained therein.

36. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 36 of the Complaint and therefore denies all allegations contained therein.

37. Claimant denies the allegations in ¶ 37 of the Complaint.

38. Claimant denies the allegations in ¶ 38 of the Complaint.

39. Claimant denies the allegations in ¶ 39 of the Complaint.

40. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 40 of the Complaint and therefore denies all allegations contained therein.

a. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 40a. of the Complaint and therefore denies all allegations contained therein.

b. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 40b. of the Complaint and therefore denies all allegations contained therein.

c. Claimant denies the allegations in ¶ 40c. of the Complaint.

d. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 40d. of the Complaint and therefore denies all allegations contained therein.

e. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 40e. of the Complaint and therefore denies all allegations contained therein.

41. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 41 of the Complaint and therefore denies all allegations contained therein.

42. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 42 of the Complaint and therefore denies all allegations contained therein.

43. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 43 of the Complaint and therefore denies all allegations contained therein.

44. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 44 of the Complaint and therefore denies all allegations contained therein.

45. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 45 of the Complaint and therefore denies all allegations contained therein.

46. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 46 of the Complaint and therefore denies all allegations contained therein.

Claimant further denies that he assisted the organization in purchasing six horses including Dashing Little Reba and five embryos for \$546,200, as alleged in ¶ 46 of the Complaint.

47. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 47 of the Complaint and therefore denies all allegations contained therein.

48. Claimant admits the allegations in ¶ 48 of the Complaint.

49. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 49 of the Complaint and therefore denies all allegations contained therein.

50. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 50 of the Complaint and therefore denies all allegations contained therein.

a. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 50a. of the Complaint and therefore denies all allegations contained therein.

b. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 50b. of the Complaint and therefore denies all allegations contained therein.

c. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 50c. of the Complaint and therefore denies all allegations contained therein.

d. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 50d. of the Complaint and therefore denies all allegations contained therein.

e. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 50e. of the Complaint and therefore denies all allegations contained therein.

51. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 51 of the Complaint and therefore denies all allegations contained therein.

52. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 52 of the Complaint and therefore denies all allegations contained therein.

a. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 52a. of the Complaint and therefore denies all allegations contained therein.

b. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 52b. of the Complaint and therefore denies all allegations contained therein.

c. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 52c. of the Complaint and therefore denies all allegations contained therein.

d. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 52d. of the Complaint and therefore denies all allegations contained therein.

e. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 52e. of the Complaint and therefore denies all allegations contained therein.

f. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 52f. of the Complaint and therefore denies all allegations contained therein.

g. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 52g. of the Complaint and therefore denies all allegations contained therein.

53. Claimant denies that *LOS ZETAS* used him and his business ADT to launder drug proceeds. Claimant admits that a witness testified at the trial in Austin, but denies that such testimony was truthful. Claimant admits the trial testimony indicated that his primary source of income was generated from ADT. Claimant denies that he, as the registered owner of ADT, would receive the illegal proceeds from the *LOS ZETAS*. Claimant admits he sent funds into the United States to purchase horses at auctions and paid for horse related expenses by using personal accounts and the ADT accounts, as alleged in ¶ 53 of the Complaint.

54. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 54 of the Complaint and therefore denies all allegations contained therein.

55. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 55 of the Complaint and therefore denies all allegations contained therein.

56. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 56 of the Complaint and therefore denies all allegations contained therein.

57. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 57 of the Complaint and therefore denies all allegations contained therein.

Claimant denies the financial statements were provided to UBS AG and show that ADT did not have enough money to pay its expenses and purchase horses, thus, corroborating other witnesses who stated that *LOS ZETAS* used ADT and Claimant to launder their drug money, as alleged in ¶ 57 of the Complaint.

58. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 58 of the Complaint and therefore denies all allegations contained therein.

59. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 59 of the Complaint and therefore denies all allegations contained therein.

60. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 60 of the Complaint and therefore denies all allegations contained therein.

61. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 61 of the Complaint and therefore denies all allegations contained therein.

62. Claimant admits the allegations in ¶ 62 of the Complaint.

63. Claimant admits the allegations in ¶ 63 of the Complaint.

64. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 64 of the Complaint and therefore denies all allegations contained therein.

65. Claimant admits the Respondent Aircraft 2005 Raytheon Hawker 800XPi, N824LX, was purchased by Cruz Aviation Services, LLC, on behalf of ADT, as alleged in ¶ 65 of the Complaint. Claimant admits the plane was then registered to Aircrew Solutions, LLC, an affiliate of Cruz Aviation Services, LLC, as alleged in ¶ 65 of the Complaint. Claimant lacks sufficient knowledge to form a belief as to the truth of the

remaining allegations in ¶ 65 of the Complaint and therefore denies all allegations contained therein.

66. Claimant admits the Respondent Aircraft 2005 King Air B200, XA-RDJ, was purchased by him, as alleged in ¶ 66 of the Complaint. Claimant lacks sufficient knowledge to form a belief as to the truth of the remaining allegations in ¶ 66 of the Complaint and therefore denies all allegations contained therein.

67. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 67 of the Complaint and therefore denies all allegations contained therein.

68. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in the first three sentences of ¶ 68 of the Complaint and therefore denies all allegations contained therein. Claimant admits the last sentence of ¶ 68 of the Complaint.

69. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 69 of the Complaint and therefore denies all allegations contained therein.

70. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 70 of the Complaint and therefore denies all allegations contained therein.

71. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 71 of the Complaint and therefore denies all allegations contained therein.

72. Claimant admits the allegations in ¶ 72 of the Complaint.

73. Claimant admits the allegations in ¶ 73 of the Complaint.

74. Claimant admits the allegations in ¶ 74 of the Complaint.

75. Claimant admits in part the allegations in ¶ 75 of the Complaint, but lacks sufficient knowledge to form a belief as to the truth of the allegations in the phrase “but

has declined to provide a personal financial statement" in ¶ 75 of the Complaint and therefore denies all allegations contained therein.

76. Claimant lacks sufficient knowledge to form a belief as to the truth of the allegations in ¶ 76 of the Complaint and therefore denies all allegations contained therein.

77. Claimant admits he purchased the Respondent Aircraft Beechcraft King Air but denies that Aerolineas Ejecutivas SA de CV was a conduit to make the payments, as alleged in ¶ 77 of the Complaint.

Claimant denies the allegations contained in the Conclusion and denies that Petitioner is entitled to any relief.

Claimant denies the allegations contained in the Prayer and denies that Petitioner is entitled to any relief.

RESERVATION OF RIGHT TO AMEND ANSWER

Claimant hereby gives notice that he intends to rely upon any other defense that may become available or appear during the discovery proceedings in this case and hereby reserves the right to amend this Answer to assert any such defense.

WHEREFORE, PREMISES CONSIDERED, Claimant respectfully requests a judgment dismissing Petitioner's Verified Complaint for Forfeiture with prejudice, returning funds and property seized in this case, awarding Claimant his costs and expenses, and any other relief that this Court deems just and proper.

Respectfully submitted,

FLOOD & FLOOD

/s/ Chris Flood

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**ATTORNEYS FOR CLAIMANT,
FRANCISCO COLORADO CESSA**

CERTIFICATE OF SERVICE

I hereby certify that on October 22, 2013, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Chris Flood

Chris Flood